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Federalism and democracy: The case of minority nations: a federalist deficit

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Key concepts: democracy, federalism, minority nations, plurinational federations, theoretical and comparative approaches

In this chapter, after pointing out the different logics that lie behind the familiar ideas of democracy and federalism, I have dealt with the case of plurinational federal democracies. Having put forward a double criterion of an empirical nature with which to differentiate between the existence of minority nations within plurinational democracies (section 2), I suggest three theoretical criteria for the political accommodation of these democracies. In the following section, I show the *agonistic* nature of the normative discussion of the political accommodation of this kind of democracies, which bring monist and pluralist versions of the *demos* of the polity into conflict (section 3.1), as well as a number of conclusions which are the result of a comparative study of 19 federal and regional democracies using four analytical axes: the uninational/plurinational axis; the unitarianism-federalism axis; the centralisation-decentralisation axis; and the symmetry-asymmetry axis (section 3.2). This analysis reveals shortcomings in the constitutional recognition of national pluralism in federal and regional cases with a large number of federated units/regions with political autonomy; a lower degree of constitutional federalism and a greater asymmetry in the federated entities or regions of plurinational democracies. It also reveals difficulties to establish clear formulas in these democracies in order to encourage a “federalism of trust” based on the participation and protection of national minorities in the shared government of plurinational federations/regional states. Actually, there is a *federal deficit* in this kind of polities according to normative liberal-democratic patterns and to what comparative analysis show. Finally, this chapter advocates the need for a greater normative and institutional refinement in plurinational federal democracies. In order to achieve this, it is necessary to introduce a deeper form of “ethical” pluralism -which displays normative agonistic trends, as well as a more “confederal/asymmetrical” perspective, congruent with the national pluralism of these kind of polities.

Federalism and democracy. The case of minority nations: a federalist deficit

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1) Federalism and democracy: Different values, different aims

Democracy and federalism are two venerable concepts in the history of political theory and in the history of political systems. On a theoretical level, they are two concepts that refer to different values, organising principles, languages and intellectual traditions, which can be analysed separately. Generally speaking, normative theories of democracy usually include three guiding normative principles: 1) a specific notion of the equality of citizenship; 2) a certain degree of political participation by citizens in collective decision-making; and 3) some kind of popular control over political power. These are obviously three very general ideas that can be articulated very differently on an institutional level and which, also in general terms, have given rise to two different normative theories of democracy which are usually associated with “republican” and “liberal” traditions, or approaches, to democracy.

On the one hand, normative theories of federalism usually refer to some kind of pact between individuals or collectivities (or both), which is designed to regulate specific functions or interests collectively. This pact is justified in different ways, in accordance with different individual and collective values, whether in the most classical versions of antiquity and the republican tradition (liberty, interests and collective self-government), or in the different versions of liberal federalism (security, liberty, property, individual rights, rights of self-government, efficiency, etc). In both cases, moreover, federal theories of a normative nature justify the desirability of being federated, based on deontological approaches (fairness, liberty, equality, etc), or on consequentialist approaches (better results achieved through a federal pact, above all in the military and economic spheres) (Karmis-Norman 2005).

Consequently, the internal logic (values, concepts, language, objectives) which usually prevails in debates about theories of democracy is not necessarily related to the logic that predominates in debates about federalism and federal systems. Moreover, these different forms of legitimisation can be applied to two general spheres:

- a) to the most classic issues of “democratic and social justice” in federations (equality, competitiveness, redistribution, efficiency, etc)
- b) to issues of “cultural justice” about phenomena of national and cultural pluralism in federal democracies (plurinational polities, indigenous groups, politics of recognition, rights of secession, etc).

Although these two spheres do sometimes overlap, the normative and institutional analytical “agenda” of these two kinds of discussion are different. Both pose questions which have a bearing on the debate about the quality of democracy in federations.

On the other hand, the duo of pluralism/monism is present both in theories of democracy and in normative theories of federalism and is applied to individuals and collectivities. *Pluralism* is a complex notion which requires some clarification. We can posit the existence of at least three notions of pluralism which are associated with the current debates on democracy and federalism:

- 1) *Ontic pluralism*. This refers to the pluralism of societies in which different ethnic, national, religious, linguistic, socio-economic, etc groups co-exist and interact with each other and share or overlap some values, interests and individual as well as collective identities. Regarding the issue of cultural pluralism (linguistic, religious, etc), it is convenient to distinguish between the pluralism which is present *within* the *demos* of some democracies and the pluralism of different *demoi* that exists in some democracies (plurinational democracies)¹.
- 2) *Normative pluralism*. This is related to the myriad values, identities and interests that theories of democracy and federalism are concerned with. It is the opposite of normative monism. Among the different pluralist normative theories, it is possible to distinguish between those that defend the possibility of establishing a permanent hierarchical order for the main legitimising values (Rawls), and those that defend the impossibility of establishing an order of this kind (Berlin). In order to carry out an analysis of plurinational contexts it is advisable initially to deal with the existence of at least three types of normative pluralism which are relevant in plurinational contexts: a) plurality of values; b) plurality of identities; and c) plurality of interests. The existence of tensions among these three groups and within each one of them.
- 3) *Methodological pluralism*. The existence of several analytical perspectives both within a discipline and among the different disciplines that study the relationship between democracy and federalism. The importance of combining theoretical and empirical aspects in normative analyses of democracy and federalism: the aim is to avoid approaches which lean towards “moralism” and “stateism” and which are common in traditional political conceptions.

In all probability, as the degree of ontic plurality of a society grows, the chances of finding a kind of normative pluralism also increases, as well as the chances of encountering greater difficulties in the establishment of simple normative “principles” applicable to a wide variety of cases.

The debate that has taken place in recent years concerning cultural and national pluralism in liberal democracies has shown that traditional political theories and traditional constitutionalism display two main shortcomings:

¹ I prefer the use of the term “plurinational” to the term “multinational” in order to reflect the probable *plural* ontic and normative perspectives, in national and cultural terms, which exists in this kind of contexts.

- a) a flawed conception of “individualism” and “universalism”
- b) a less than plural, “stateist” approach towards minorities, inserted in notions such as the “national demos”, “citizenship” or “popular sovereignty”.

These are analytical, moral and institutional flaws which are questionable in terms of the basic values defended by democratic liberalism itself (dignity, liberty, equality and pluralism)(Requejo 2005). These values involve individual and *collective cultural* dimensions which should be added to the more standard *individual social* and *political* dimensions of “theories of justice” in liberal democracies. There may be no possibility of reaching a normative agreement which can be considered “fair” by the different actors involved in the process. Theories of federalism and democracy may offer normative and analytical arguments as well as suggesting possible practical solutions, but whether a political system is “just and workable” will depend also on a number of concrete historical and political conditions that need to be analysed case by case.

2) “Minority nations” in plurinational democracies. An empirical characterisation

The most common characterisations of “minority nations”² are usually based on theoretical criteria which combine objective and subjective aspects. The former focus on historical, linguistic, cultural, etc. characteristics which singularise a collective situated in a more or less defined territory and which distinguish it from others in the surrounding area (1st criterion). The latter focus on the desire for a different status and self-government which these collectivities have historically expressed, and continue to express in the present (self-government which can be articulated politically in a variety of ways, from demands for their own state to non-secessionist self-government through federal formulas or regional autonomy)(2nd criterion).

My proposal for characterising minority nations in liberal democracies is to complement these two theoretical (and normally “diffuse”) criteria with a third empirical criterion. The aim is to increase the analytical precision of what we understand as “minority nations” and to avoid the usual dilution of clear minority nations in a *monist* concept of a wider nation-state. So, apart from the two theoretical criteria already mentioned, a national minority also needs to have autonomously functioning political institutions characterised by:

- 1) a *distinct party system* from that of its state-level counterpart
- 2) within which *at least one* secessionist party is present.

Let us look at the largest minority nations that currently meet these requirements: the Catalans, the Basques, the Quebecois, the Flemish, the Scottish and the Welsh. In addition to a brief outline of their respective party systems, I will mention two indicators which illustrate the differences between these national minorities’ domestic party structures and their central counterparts. Firstly, I classify both state and sub-state

² I use the notion of “minority nations” as an equivalent to the term “stateless nations” used in analytical literature on nationalism. In this chapter, I do not include the case of “national minorities”: people who live in a state which is different to the one in which the majority of their nation reside (e.g. the case of the Hungarians in Romania, etc). Minority nations and national minorities differ both from an analytical and a normative perspective.

party systems (according to Sartori’s typology). Secondly, I will calculate the “effective number of parties” (N) using the usual formula:

$$N = \frac{1}{\sum_{i=1}^{n_i} p_i^2}$$

where p_i^2 is party i’s share of the seats within the representative institution in question (Taagepera-Shugart 1989:79)³. Table 1 summarises the main findings after applying these two empirical criteria to the main Western plurinational democracies.

2.1 Spain. It is clear that both the Catalans and the Basques can be classified as “minority nations” according to the definition given at the beginning of this section. “Independentist” parties enjoy parliamentary representation in both sub-state entities (In Catalonia: *Esquerra Republicana de Catalunya*; in the Basque Country: *Eusko Alkartasuna* and *Batasuna/Partido Comunista de la Tierras Vascas* (Batasuna was declared illegal in 2003; PCTV has been its electoral substitute). More specifically, while the state-level system can be called “bipartite”, Catalonia is marked by “moderate pluralism”, and the Basque Country is closest to “polarised pluralism”. Furthermore, while Spain’s effective number of parties is 2.5 the minority nations score much higher: 3.9 for Catalonia and 4.4 for the Basque Country.

Table 1	Type of System	Effective Number of Parties
Spain	Bipartite	2.5
Catalonia	Moderate pluralism	3.9
Basque Country	Polarised pluralism	4.4
Canada	Moderate pluralism	3.1
Quebec	Bipartite	2.1
Belgium	Polarised pluralism	7
Flanders	Polarised pluralism	4.8
United Kingdom	Bipartite	2.5
Scotland	Moderate pluralism	4.3
Wales	Moderate pluralism	3.1

2.2 Canada. The Quebecois also clearly constitute a national minority: a powerful secessionist party regularly governs the province, which has a totally different party system from Ottawa (it should be mentioned that the *Parti Libéral du Québec* is an independent group, not the Quebecois branch of the Liberal Party of Canada). Both systems are characterised by moderate pluralism and bipartidism, respectively, while the

³ I have used data from the most recent election in each country. For those parliaments which have two chambers, the effective number of parties has been calculated using the data for the lower chamber. The effective number of parties may coincide with criterion 3a despite the fact that they are different parties. This relatively unlikely case is, however, excluded with the application of criterion 3b. I am grateful to Aharon MacClanaghan for his help in preparing Table 1.

difference in the effective number of parties is significant, but not enormous (3.1 for Canada, 2.1 for Quebec).

2.3 Belgium. Belgium's state-level party system is divided into French-speaking and Dutch-speaking segments, both groups roughly matching the main factions present in the respective sub-state parliaments. However, the consequent "doubling" of parties means that the effective number of parties in the House of Representatives is much higher than the corresponding number in Flanders: 7 in comparison with 4.8. Both systems should be described as "polarised pluralism" due to the presence of the powerful but controversial *Vlaams Belang*, which is unanimously shunned by the other political forces. Nonetheless, this party's much greater strength in Flanders (compared to Brussels), means that the regional parliament suffers from substantially more polarisation than its federal equivalent.

2.4 United Kingdom. The Welsh and the Scottish both constitute national minorities, although Scotland is somewhat more "distinct" from Westminster than Wales. This is due to the fact that the Scottish party structure includes one secessionist party and several mid-range forces with no counterpart in London. The Welsh nationalists, however, are rather more divided about outright independence, while the region's party structure is more similar to Whitehall's. The UK's overall effective number of parties is 2.5, in comparison with 3.1 for Wales and 4.3 for Scotland.

3) The political accommodation of minority nations in plurinational federations. Theoretical and comparative approaches.

3.1 A theoretical approach

In previous works, I have maintained that there are at least three aims to be achieved by a "fair and workable" plurinational federation (Requejo 2005: 4, 2001a, 1999):

1. An explicit and satisfactory *constitutional and political recognition* acceptable to the main political actors who are part of the *national pluralism* of the 'federation'.
2. The establishment of a series of agreements for a high degree of national self-government of the minority nations of the federation (including sufficient economic resources based on a model fiscal federalism). They will be probably of an asymmetrical or confederate nature when there is a larger number of federated units than minority nations. The aim of these agreements is the political defence and development of the national collectives, both in relation to the federation and in relation to the international arena.
3. A *plurinational* regulation of the *shared rule* of the federation and its reform processes (including in some cases potential clauses of constitutional national secession with clear procedural rules), which is able to accommodate the national ontic and normative pluralism of the polity.

Comparative experience shows, however, that these three conditions are not easily fulfilled even in consolidated democracies. We might ask ourselves why this is so.

Two kinds of fundamental reasons have been put forward to explain the difficulties plurinational federal systems encounter when they attempt to fulfil the three conditions mentioned above:

- 1) plurinational federalism would be inherently difficult to articulate with the main legitimising values of liberal democracies (liberty, equality, solidarity and pluralism) and with the rights and liberties associated with these values. Or,
- 2) plurinational federalism inevitably would retreat to irreconcilable normative positions based on the “unity” or the “national union” of the democratic polity.

1) Generally speaking, it can be said that the debate of recent years concerning the relationship between liberal democracy and national pluralism has shown that the first kind of reasons mentioned above are not justified (either from the perspective of liberal-democratic theory or from that of empirical and comparative evidence). On an empirical level, one can observe that the citizens of most minority nations in plurinational democracies defend values and conceptions which are as liberal as those defended by the citizens of majority nations (Quebec, Catalonia, Scotland, etc). The cases of non-liberal organisations (the extreme right or the extreme left) of some minority nations (Flanders, the Basque Country) are also present in majority nations (France, Austria). Currently, the Jacobin view that minority nationalism promotes policies which are contrary to liberal values is completely obsolete. In fact, it is Jacobinism itself which is emitting non-liberal signals in relation to the treatment of minorities (for the normative arguments, see Kymlicka 1995; for the empirical arguments, see McGarry 2005, 2003).

At the normative level, the commitment of democratic liberalism to the *rational revision* of the “conceptions of good” and the (non-perfectionist) *moral neutrality* of the state (despite the fact that there are liberals who accept the first, but not the second: Raz 1986), does not prevent liberal states from inevitably opting, on an empirical level, to defend a specific *national* collectivity and a form of *cultural* non-neutrality for this collectivity (in linguistic, cultural and symbolic matters; in terms of the reconstruction of their own history, etc). In practice, liberal-democratic institutions always establish processes of nation-building which are directly linked with specific national identities and cultures. These processes are at times regarded as conditions to ensure solidarity and a sense of reciprocal obligations of the citizens of the polity (within their own borders) aimed at ensuring the emergence and stability of the polity’s liberal values. But, this can be said both of the authorities of majority nations and of those of minority nations. The nation-building processes of national majorities and minorities display similar trends when they articulate with the legitimising values of liberal democracies (Requejo 2001a).

2) The second set of reasons refer to an “agonistic” normative framework which is similar to Berlin’s “value pluralism”, and which makes any single “rational and reasonable” solution regarding the plausibility of federalism in plurinational democracies almost impossible. The reasons for this should be sought in: 2.1) the different implicit political preconceptions; 2.2) the competitive nature of the different nation-building processes which co-exist in a plurinational democracy; and 2.3) the lack of a single epistemological and ethical way to deal with these preconceptions and mutually partial irreconcilable processes.

There are at least three questions which exemplify the “agonistic” character of the normative frameworks as well as the values, identities and interests at stake in plurinational contexts:

a) The acceptance, or not, that there is only one *demos* per democracy. It is obvious that state nationalists usually defend a conception of the nation-state which is based on a single *demos* in terms of the legitimising concepts frequently used, such as “popular sovereignty” or “equality of citizenship”. Generally speaking, both mainstream liberalism and socialism or, in other words, the two main schools of thought which emerged from the Enlightenment, are not very well intellectually prepared to tackle the issue of nationalisms that do not coincide with state nationalism. The problem stems from the implicit “stateism” which both traditions accept as a solution for self-governing political collectivities considered to be legitimate. This means that both mainstream traditions adopt a “conservative” position in relation to the *status quo* of state realities, whatever their historical origins may have been. On the other hand, the nationalists of minority nations usually defend the existence of a group of *demos* within the democracy in which they live, described as “national” collectivities which are different for cultural, historical or linguistic reasons. Thus, these two positions contrast a “monist” *demos* with a number of *demos* understood in terms of *national pluralism*. These two types of actors “live” in different worlds. They will probably give different answers to questions, such as about political equality: “equality of what?”; “equality between who?”. They will insist, moreover, on contrasting conceptual positions: between equality/inequality or between equality/difference. To attempt to establish common ground between these two (normative and epistemological) political preconceptions is unlikely (apart from any *pragmatic* agreements that might be established). The same values and concepts mean different things depending on the characterisation of the *demos-demos* of the polity (this is linked to the normative discussion on democracy and federalism between the so-called *liberalism 1* and *liberalism 2*) (Maiz-Requejo 2005; see also footnotes 12 and 13 in this chapter)

b) The acceptance, or not, that the establishment of *individual* rights and liberties enshrined in liberal democracies is always preceded by a previous *collective* right or liberty: the right to self-determination of the state collectivity (and the “sovereignty” of the *demos* congruent with it). It has been said many times, but without always extracting the pertinent normative consequences, that in democracies there is always a prior decision regarding the *demos* (albeit with limitations dictated by organisations such as the EU, Mercosur, etc). This is a decision that in practice usually refers to collectives that have established themselves after long historical processes replete with wars, annexations, exterminations, deportations which are totally unrelated to the legitimising values of liberal democracies. It should come as no surprise that some members of national minorities put forward historical arguments to defend the existence of the right to self-determination (and secession) for one of the *demos* of the state. These agonistic views are reflected in the distinct “political cultures” of the different national collectives and in the way of “translating” liberal-democratic legitimising values into their specific contexts.

c) The linking of political and constitutional rules to their strictly “moral” nature or their complementary referral to an underlying “ethical” dimension. In addition to “pragmatic” rationality – that which uses the best means to achieve pre-established ends

or objectives (linked to values such as efficacy, efficiency and stability), in plurinational contexts it is useful to introduce the classical distinction between *ethical* rationality and *moral* rationality. The former refers to the empirical interpretation of specific cultural values and identities, by either introducing *particular* values (e.g. the defence of a specific language) or by establishing a *specific* interpretation of *universal* principles (e.g. who is the subject of collective political liberty). This is a rationality characterised by contextual interpretation, which is decisive when one is discussing concrete political questions, such as the use of political symbols of minority nations, the level of their self-government, or their presence in the international sphere. It will also be decisive when one evaluates the greater or lesser degree of political accommodation of the citizens who subjectively associate themselves with the minority nations of a plurinational federal democracy. “Moral” rationality, on the other hand, refers to an impartial resolution of conflicts through principles and rules that aspire to universal validity, regardless of the context in which they act. Theories of democracy have usually concentrated on *pragmatic* and *moral* rationalities, marginalising *ethical* rationality, which is precisely the one that the citizens of minority nations use in order to demand fair treatment for their specific linguistic, historical and cultural characteristics. Therefore, in the normative sphere, ethical rationality acts as an incentive to introduce a greater degree of pluralism within the political principles and institutions of democracies and federal systems in order to avoid versions biased towards the values, identities and the monist interpretation usually decided by majorities.

The agonistic elements of these three issues in plurinational contexts is linked to values which can be integrated into two different liberal-democratic perspectives (majority/minority) both of which can be justified from liberal, democratic and federal premises, but which can easily come into conflict⁴. There will always be a form of *normative pluralism* which acquires more complexity in plurinational than in uninational contexts, and which includes both individual and collective dimensions. Here, there is a question which have not usually been answered by liberal, democratic and federal theories: what should the polity or polities of justice be?. The implicit answer is “the state”, regardless of the way it has been created historically. But this answer is rather debatable from the perspective of liberal and democratic values themselves.

These are issues that are hardly ever discussed by the classic theories of democracy and federalism. In federal terms, the three issues discussed above link up with the contrast mentioned earlier between the kind of federal theory which situates the normative centre of gravity at the “union” that arises from the pact, and the kind of theory which situates this centre of gravity with the parties to the agreement. In other words, between Madison and Althusius. The latter are closer to what one might call the spirit of confederations (or to a form of consociational federalism). The classic notion of sovereignty is understood here in terms of negotiation and sharing. In this case, one of

⁴ In the case of plurinational federations, I have defended the greater philosophical appropriateness of the form of political liberalism based on I. Berlin’s “value pluralism” rather than other normative perspectives of a “monist” national nature (Federalist Papers), or those of a pluralist nature with a permanent order of values (Rawls), or of a predominantly procedural nature (Habermas). See Requejo 2005, chap 1-2; Karmis-Norman 2005, Introducion; Hueglin 2003. See also Kincaid 1999.

the objectives of the “federal pact” will be the preservation of the plurality of the particular identities of the subjects of the pact⁵

In contrast, the American federalist tradition interprets federalism from a much more federal than confederal standpoint. Here the centre of gravity is situated in the governance of a nation-state and the consequent supremacy of the central power. The Union is more important than the Units (*Federalist Papers*, 10, 37, 51 -Madison, and 9, 35 -Hamilton). Here, the establishment of a federation should not fall back on existing social and territorial divisions, but should try to build a new polity that subsumes the old divisions by establishing new state-building and nation-building processes. (A third type of federal theory is based on Kant. An approach to Kant’s theory and “cosmopolitan justice” in relation to plurinational states, in Requejo 2007)

Depending on what federal conception we adopt, we will obtain different conclusions in all the spheres of territorial accommodation. Thus the interpretation of the values of liberty, equality and pluralism is easily split depending on whether one is dealing with uninational or plurinational federal democracies, especially in relation to collective or group rights and liberties, the subjects of liberty, and the type of pluralism one seeks to protect and guarantee.

The conclusion is that both traditional liberal-democratic theories and traditional federal theories are ill-equipped to solve these questions: they make specific versions of individualism, universalism and “stateism” (and its implicit nationalism) the three fundamental points of reference for the legitimisation of states regardless of their historical processes of construction and their internal pluralism. This leads towards a *federalist deficit* in the traditional political theories when they deal with the negative and positive collective liberties of minority nations. The alternative is in liberal-democratic and federal theories of a more *pluralist* nature in relation to the different normative perspectives of the groups that co-exist in a democracy⁶.

Obviously, these contrasting theoretical and normative positions will have consequences for constitutionalism. Thus, in the case of plurinational federal democracies (Canada, Belgium, etc) both the normative debate and politics have shown the characteristics and limitations for plurinational societies of the American model, established as a uninational federation with symmetric features. A series of limitations and characteristics which go beyond the most centralised and decentralised character of that model and which make it advisable to keep in mind the most empirical analyses of comparative politics.

3.2 A comparative approach

Territoriality matters. In contrast to the pretensions of a number of liberal and Marxist theories of modernisation, empirical studies have established that in the democratic

⁵ In accordance with the classical juridical formula “quod omnes tangit” of Roman law (that which affects everyone must be approved by everyone), it translates, in federal terms, the introduction of a right of veto for the federated collectivities (Althusius, *Politica Methodice Digesta* VIII). This is a conception which shares some common ground with the recently rehabilitated republican theory of collective negative liberty (called “neo-Roman” by Skinner, 1998).

⁶ This federal deficit is sometimes parallel to the lack of consideration of the minority nation internal pluralism by some minority nationalists. This is something that deserves accurate analyses case by case.

sphere, territorial conflicts display no tendency to disappear, in fact the opposite seems to be occurring. It has also been observed that the emergence of a large number of new states in Europe over the last century has come about following the collapse of two empires, the Austro-Hungarian, after the First World War, and the Soviet, in the last decade of the 20th century. In contrast, few states have achieved independence during the 20th century in the group of Western European democracies –Norway (1904); Ireland (1921) and a few islands (Cyprus, Malta, etc) (McGarry 2003, Saydemann-Ayres 2000, Fearon-Laitin 1999).

In plurinational democracies, the majority of territorial disputes are of a peaceful nature⁷. In conceptual terms, there is nothing to prevent the issue of where borders should be established from joining the democratic debate. But on an empirical level it is clear that states are jealous of their own territories (and even to recognise usually its plurinational character). The “classic” liberal-democratic solutions to achieve a political accommodation of minority nations are federal systems (in a wide sense), consociationalism, devolution processes and secession (Amoretti-Bermeo 2004; Gagnon-Guibernau-Rocher 2003; Gagnon-Tully 2001). We will focus here on federal systems (federations and some regional states).

Comparative analyses of federalism can be structured along four autonomous analytical axes:

- 1) the uninational-plurinational axis
- 2) the unitarianism-federalism axis
- 3) the centralisation-decentralisation axis
- 4) the symmetry-asymmetry axis

These axes require a diverse battery of variables and indicators in order to carry out a comparative approach. The universe of the following analysis comprises democratic federations –excluding cases based on archipelagic federations such as Micronesia, the Comoros and St Kitts and Nevis, as well as federations which are a long way from the liberal-democratic logic (the United Arab Emirates, Nigeria, etc). Associated states, federacies and supra-state entities such as the European Union have been also excluded. On the other hand, we include three European Western democratic regional states which display a clear territorial division of powers: the United Kingdom, Spain and Italy⁸. Altogether, there are 19 federations or regional states in the following analysis (we have finally excluded the case of Serbia-Montenegro after the break of the federal links voted in Montenegro in 2006)

1) Regarding the uninational-plurinational axis, the two theoretical criteria and the double empirical criterion explained in section 2 can be applied. Apart from the four examples of plurinational states mentioned above –Belgium, Canada, Spain and the United Kingdom – the following federations should be added: India, Russia, Ethiopia

⁷ Northern Ireland and the Basque Country are exceptions. However, in both cases the armed groups (the IRA and ETA) have appeared to be moving towards a negotiated end to violence with their respective central governments at the beginning of this century.

⁸ Although the Spanish case share with federations some elements, I have maintained elsewhere that it is more linked to a “regional” logic than to a federal one (Requejo 2005, chaps 5-6).

and Bosnia-Herzegovina (which was established with international mediation and displays confederal features and political dynamics that challenge its continuity). All of them include either a formal definition describing themselves as plurinational in their respective constitutional agreements or fulfil, in at least one internal case, the theoretical/empirical criteria established in the previous section.

2) The unitarianism-federalism axis is established using constitutional regulations which are more or less favourable to a federal institutional logic from the perspective of the federated units⁹. We will include as indicators the existence, or not, of: federated polities as constituent units (1); constitutional guarantee of their self-government (1); agreement for constitutional reform (1); an institutional dualism in relation to the three classic powers: the executive and legislative (2) and the judicial (1); a model of fiscal federalism (2); an upper chamber with representatives appointed by the institutions of the federated entities (1) and with seats distributed along territorial lines (not proportional to the population) (1); powers of the upper chamber within the institutional system (2); the allocation of unallocated powers to the federated units (2); a court to arbitrate in disputes (2), with the sub-state entities having a say regarding who is appointed to it (2); and, finally, the regulation, or not, of a right of secession of (some) the federated units (2).

3) The centralisation-decentralisation axis refers to the degree of constitutional self-government of the federated units or of the regions with political autonomy¹⁰. This is a key subject for evaluating their political accommodation in federal/regional democratic polities. It is also measured using different indicators : a) the kind of legislative powers enjoyed by these sub-units (8) -subdivided in specific areas of government as follows: economy/infrastructures/communication (2), education and culture (2), welfare (2), internal affairs/penal/civil codes and others (2); b) the executive/administrative powers (2); c) whether or not the federated entities have the right to conduct their own foreign policy, taking into account both the scope of the matters and agreements with federal support (2); and d) their economic decentralization (8): it is calculated according to a single average index obtained taking into account the distribution of the public revenues and the public expenditures (GFS/IMF indexes) in each country.

⁹ This axis focus on *how federal* is a federation (or a regional state). The numbers in brackets refer to the score given to each indicator (between 0 and 2). We use low numbers in order to minimize errors (and 0.5 points for internal adjustments). Altogether, the global scale of each case is situated between 0 (absence of a federal logic) and 20 (maximum degree of constitutional federalism). See annex 1. We do not consider “para-institutional” indicators, those which have an effect on federalism as a process (e.g. party-political systems; inter-governmental relations). A similar analysis applied to a group of 11 federal and regional countries using a number of slightly different indicators, in Baldi 2003 (2nd ed. 2005). See also Watts’ chapter in this volume and Watts 1999, chaps 9-10.

¹⁰ Obviously, the quantitative and comparative measurement of decentralization is a complex issue which involves difficulties in relation to the indices used, their aggregation, the way of comparing different countries and even in relation to the concept of decentralization itself. Each of these aspects are related with debatable questions in the field of comparative analysis. However, here we are mainly interested in the degree of decentralization that minority nations achieve in a comparative perspective. In this way, the degree of decentralisation (or lack of centralisation) is here also measured on a global scale which goes from a score of 0 (maximum centralisation) to a score of 20 (maximum decentralisation). See annex 2. Data from -<http://www.worldbank.org/publicsector/decentralization/fiscalindicators.htm>; Rodden 2004, Neremberg-Griffiths 2005. See also Filippov–Ordeshook–Shvetsova 2004; Amoretti-Bermeo 2004, Baldi 2003, Watts 1999, chaps. 3, 4 and 8.

4) Finally, the symmetry-asymmetry axis includes the cases with *de jure* specific regulations of an institutional nature or competencies for specific territorial sub-units of the federations or of the regional states. We include the usual constitutional approaches for asymmetry: a) asymmetrical distribution of powers; b) regulation of *opting in* and *opting out* formulas within formally symmetrical frameworks; c) the territorial overlapping of entities with different functions (e.g. the regions/communities in Belgium) (Watts 2005, 2002: 463-4; Requejo 2001b, 1999). There is no discrimination, therefore, between their degree of asymmetry, but only between states which display or fail to display a number of clear constitutional and political asymmetries (we exclude federal capitals from asymmetry criteria; in the following calculations, Quebec, Catalonia, Scotland and Flanders are the reference for the cases of Canada, Spain, the UK and Belgium).

Table 2 situates our 19 cases according to the results of their degree of constitutional federalism and their degree of decentralization (I omit the case of Ethiopia in the degree of decentralization due to the lack of reliable economic data).

(Table 2)

Figure 1 relates the degree of constitutional federalism and the degree of decentralisation which exist in the cases studied¹¹.

(Figure 1)

It is also worth taking into account, from the perspective of the political evolution of federal systems, elements of the internal dynamics of plurinational federations related to institutional characteristics. This is the case, for example, of the number of sub-state entities which are present in federations and regional states, and of the constitutional recognition of potential secessionist processes in plurinational federations. Tables 3 and 4 deal with these two characteristics.

(Table3)

(Table 4)

¹¹ I am grateful to Andreu Orte, research assistant at Pompeu Fabra University, for his help in preparing Table 2, Figure 1 and calculations included in annexes 1 and 2.

The following are general conclusions based on these results. We will briefly mention the three conditions for the “federal” political accommodation of plurinational polities established earlier: 1) constitutional recognition of plurinationality; 2) a broad and effective level of self-government of minority nations; and 3) the participation and protection of minority nations in the “shared government” of the federation and the regulation, or not, of a right of secession.

1) Political recognition of national pluralism in plurinational federations. Ethiopia and Russia formally recognise their plurinational character. However, all other federations and regional states are reluctant to permit explicit recognition of national pluralism in their constitutional agreements¹². In fact, this recognition is less common in this group of federations than the regulation of medium or high degrees of self-government in some federations. It seems there are two reasons for this. On the one hand, it may be related to *monism*, which is a feature of the stateist and nationalist conception of the polity into the dominant contemporary federal tradition. Moreover, in some cases (Canada, Spain) the hegemonic nationalisms of the federation often tend to deny their plurinational character in favour of a pluricultural and multilingual conception of a federation that is often considered uninational¹³. Therefore, the “federal union” is normally understood to be a unit rather than an “union” of national entities. An added difficulty is one of a terminological nature: it would be easier to refer to the federal/regional state *demos* as a “union” if its name does not coincide with the majority *demos* of the federation. This is the case of the “United Kingdom” (as opposed to England) or “Belgium” (as opposed to Flanders and the Walloon region) in contrast with the absence of a parallel denomination in Canada, Russia and Spain. An issue

¹² The Constitution of Ethiopia states that: “We the Nations, Nationalities and Peoples of Ethiopia ... ratified the Constitution of the Federal Republic of Ethiopia”, defining these terms as “a group of people who have or share a large measure of common culture, or similar customs, mutual intelligibility of language, belief in a common or related identity, and who predominantly inhabit an identifiable contiguous territory”. Later (Art.39) the constitution establishes the right of secession as part of the right to self-government laid down in the preamble, establishing clear rules regarding parliamentary and voting majorities necessary for a secessionist process to take place. In the case of Russia, the constitution refers (preamble and text) to the “multinational people (in singular) of the Russian Federation, united by a common destiny on our land” and mentions respect to the principle of “self-determination of the peoples” (in plural). Article 3 says that “The multinational people of the Russian Federation is the vehicle of sovereignty and the only source of power in the Russian Federation”; and article 5 states “self-determination of the peoples in the Russian Federation” (in plural).

¹³ The Indian Constitution starts by mentioning “the people of India”; the term “nation” only appears once, in the preamble: “Fraternity assuring the dignity of the individual and the unity and integrity of the Nation”. In the rest of the text the adjective “national” is used to refer to the federation. In the Belgian Constitution, the term “national” only refers to the whole country: “All power emanates from the Nation” (art 33), and when the text mentions “the members of the two Houses” (art 42), the preservation of “national independence” (art 91), and the “national flag” (art 193). The Spanish Constitution (Art.2) establishes that there are “nationalities and regions” within a unique Spanish Nation (in capital letters) defined as the “common and indivisible homeland of all the Spanish people” (a definition which is clearly questioned by a significant number of citizens, mainly in the Basque Country and Catalonia, who do not agree that their homeland is Spain). In the current Catalan Statute of Autonomy (2006), the recognition of the national character of Catalonia has finally been placed in the preamble of the law, while in the text Catalonia is defined as a “nationality” according to the Spanish Constitution. However, some articles also mention the “national” flag, anthem and holiday of Catalonia.

which becomes more important when the population of the minority national *demos* represents a relatively large portion of the population of the federation: 25% in the case of Quebec, and 16% in that of Catalonia, and the number of federated/regional entities is high. On the other hand, the reluctance to recognise the plurinational character may be based on an very different reason: because of the controversial character of the federal union. The constitutional preamble of Bosnia and Herzegovina mentions “Bosniacs, Croats, and Serbs, as constituent peoples”. The text defines that “Bosnia and Herzegovina shall consist of the two Entities, the Federation of Bosnia and Herzegovina and the Republika Srpska (art 3), also avoiding the national question (the adjectival form “national” appears in several articles referring to the “National Assembly of the Republika Srpska”).

2) *Degree of federalism, decentralisation and asymmetries.* Broadly speaking, plurinational federations/regional states are more asymmetrical in constitutional terms than uninational federations. The first type of federations display a greater average level of constitutional decentralisation than federations in general, although there are internal differences in these group of polities. They also have a greater number of asymmetrical constitutional regulations. In fact, there are no cases of clearly symmetrical plurinational federations. In this group, the degree of federalism is more uniform and lower than in the group of uninational federations (except for the special case of Bosnia-Herzegovina, which displays some confederal characteristics, see figure 1). Not surprisingly, the two regional states -Spain and the United Kingdom- receive the lowest score within the plurinational group of states. The lower degree of federalism arise questions about the suitability of federations/regional states for properly managing plurinational polities (and their inherent ontic and normative pluralism): to accommodate politically minority nations is not only a question of decentralization, but also of political recognition of their national status, and of regulation of their constitutional collective negative and positive liberties. That is, it is also a question of the degree of federalism present in the constitutional framework. This empirical *federalist deficit* in plurinational democratic federations is still a challenge at the beginning of the 21st Century.

On the other hand, the number of federated subunits is not a discriminating criterion between uninational and plurinational federations. The elements of asymmetry of plurinational federations/regional states is sometimes regulated within general guidelines of a symmetrical nature in the territorial division of powers (with the presence of pressure in favour of the symmetry of the system). This mainly occurs when the number of federated units is not small (at least nine) (Canada, India, Russia, Ethiopia and Spain¹⁴, in contrast to the cases of Belgium, the United Kingdom and again Bosnia-Herzegovina. It is currently an open question whether the federations’ reluctance to introduce more asymmetric regulations, especially when the number of subunits is not small, will or will not reinforce territorial tensions and secessionist positions when this reluctance prevents the effective political and constitutional accommodation of minority nations. However, this reluctance seems to imply a

¹⁴ A general overview of de jure constitutional asymmetries, in Watts 2005. See also *Asymmetry Series*, IIGR, Queen’s University, since 2005), especially Laforest 2005. For an analysis of the phases of development of the Spanish case, see Requejo 2005, Moreno 1997. See also Moreno’s chapter in this volume. The well-known West-Lothian question apparently fails to cause many problems in most countries, due to the fact that the real political level of the symmetries is not very high, and most of the powers are of a concurrent nature.

potential increase in territorial tensions in the future of plurinational polities, according to the evolution of territorial conflicts in recent years.

3) *Federal trust/distrust*. In plurinational polities there will always be nation-building processes which will, at times, be partially contradictory. The construction of “federal trust” in plurinational federations/regional states requires the existence of at least two factors:

- a) the existence of clear mechanisms to allow the minority nations to participate in the shared government of the federation from their singular character (presence in the upper chamber, bilateral inter-governmental relations between these entities and the federation, consociational institutions, etc). The aim is to regulate the *democratic* issue of “participation” in the central power from the point of view of the specificity of the federated or regional entity (and not diluted to just another entity in the federation)
- b) there would appear to be more probability of developing federal trust when there are rules which protect national minorities from the actions of the majorities. This is an issue of a more “liberal” than “democratic” nature (related with the collective “tyranny of the majority”)¹⁵. It favours the inclusion of institutional procedures such as powers of veto in the upper chamber, “alarm bell” and/or opting-in/opting-out procedures (which do not require constitutional reforms), the appointment of some of the judges of the Supreme or Constitutional Courts by the minorities, the distinct participation in the processes of constitutional reform, asymmetrical intergovernmental relations, etc¹⁶. Most of these procedures are absent or have a low profile in the constitutions of most plurinational democracies. In contrast, Bosnia-Herzegovina has established formulas similar to confederations, while Belgium combines consociational formulas with an increasing centrifugal logic (diminished by its membership of the European Union), and the UK maintains the perspective of an open and asymmetrical process of devolution (above all in the case of Scotland). If these participation and protection mechanisms are absent (Spain), or if they are insufficiently regulated (Russia), the perception of a *federalism of distrust* by the minorities (and the majorities as a reaction) will increase. From a normative perspective, this misrepresents the interpretation of collective liberal freedom (negative and positive) in plurinational federal democracies. Moreover, it would seem to be advisable to develop a kind of political culture for the whole of the federation in order to develop a stable *federal trust*: a “plurinational culture” which makes the plurality of the internal *demoi* a feature of the “political union”.

¹⁵ Collective negative liberty is a classic theme of political legitimacy within the “republican” tradition which has been highlighted by historians of the Cambridge school (Skinner 1998). This conception, however, is generally established in monist terms in relation to the state as a single political collectivity. This explains the scant attention usually paid by the republican tradition towards federalism as a possible institutional way to guarantee collective negative liberty *within* the state. For an empirical analysis on democracy and federations, see J. Kincaid’s chapter in this volume.

¹⁶ These procedures appear to be more suitable for increasing the *self-government* of some federated entities than for promoting the *recognition* of the plurinationality of the polity. There is usually a confusion between the process of *accommodating* a plurinational state and the process of *decentralising* it.

Right of secession. More controversial is the introduction, or not, of a right of secession for the minority nations of plurinational federations/regional states. This is a “right” which represents a clear break with the dominant logic of federations, although not with the tradition of federalism. This logic only accepts the right to self-determination for the federation. But it is an interpretation which a number of federations have recently questioned. This is the case of Canada (through the “federal pattern” of the 1998 Secession Reference by the Supreme Court) and Ethiopia (or the more specific cases of the former Serbia-Montenegro and of St Kitts and Nevis)(table 4). In the debate of recent years regarding this issue, arguments of a functional and strategic nature have been used to oppose this regulation, although there does not appear to be any definitive normative argument – of a moral or functional nature - against the introduction of this right when clear procedural rules are laid down which avoid strategic uses by the elites of the minority nations¹⁷. It is probable that the 21st century will witness political movements in favour of the “right to decide” by the citizens of minority nations¹⁸. Movements in favour of treating minority *demoi* as polities which wish to preserve as much collective negative liberty as possible in an increasingly globalised world. These are movements which democratic federal theory and practice should pay more attention to than they have been doing during the contemporary era.

4) Conclusions

In this chapter, after pointing out the different logics that lie behind the familiar ideas of democracy and federalism, I have dealt with the case of plurinational federal democracies. Having put forward a double criterion of an empirical nature with which to differentiate between the existence of minority nations within plurinational democracies (section 2), I suggest three theoretical criteria for the political accommodation of these democracies. In the following section, I show the *agonistic* nature of the normative discussion of the political accommodation of this kind of democracies, which bring monist and pluralist versions of the *demos* of the polity into conflict (section 3.1), as well as a number of conclusions which are the result of a comparative study of 19 federal and regional democracies using four analytical axes: the uninational/plurinational axis; the unitarianism-federalism axis; the centralisation-decentralisation axis; and the symmetry-asymmetry axis (section 3.2). This analysis reveals shortcomings in the constitutional recognition of national pluralism in federal and regional cases with a large number of federated units/regions with political autonomy; a lower degree of constitutional federalism and a greater asymmetry in the federated entities or regions of plurinational democracies. It also reveals difficulties to establish clear formulas in these democracies in order to encourage a “federalism of trust” based on the participation and protection of national minorities in the shared government of plurinational federations/regional states. Actually, there is a *federal deficit* in this kind of polities according to normative liberal-democratic patterns and to what comparative analysis show. Finally, this chapter advocates the need for a greater

¹⁷ In contrast to what the anti-symmetrical argument of the stepping-stone towards secession suggests, the states which went through secession processes during the 20th century were not asymmetrical federations but Unitarian states (United Kingdom, Ethiopia, Indonesia) or pseudo-federations of a socialist nature (USSR, Yugoslavia, Czechoslovakia). See McGarry 2005; Norman 2001.

¹⁸ In recent years there have been examples of such movements in Quebec, Flanders and, more recently, in the Basque Country and Catalonia.

normative and institutional refinement in plurinational federal democracies. In order to achieve this, it is necessary to introduce a deeper form of “ethical” pluralism -which displays normative agonistic trends, as well as a more “confederal/asymmetrical” perspective, congruent with the national pluralism of these kind of polities.

The “basic structure of a society” (Rawls) does not only include political and economic issues, but also national and cultural ones. To establish “principles” of justice – even supposing that this is possible beyond an agonistic contrast between different values, interests and identities– should include, going further than Rawls, *politics of recognition* and *politics of accommodation* of minority nations. To leave these components outside the sphere of justice means turning national and cultural majorities into biased arbiters of the rules of the polity, and biased arbiters can never be “fair”. In short, in federal plurinational democracies, the articulation of the values of liberty, equality, pluralism and individual dignity require more complex rights, institutions and procedures of recognition and accommodation of collective decision-making than in uninational federal democracies. The rights, institutions and procedures involved in the basic justice of these two kinds of democracy do not coincide¹⁹. In fact, it is not clear whether any kind of liberal-democratic theoretical conception can be established which is capable of articulating the normative complexity –concepts, values, linguistic reconstruction and different types of rationality– inherent in plurinational polities. There will always be different interpretations of how to give practical expression, in national terms, to the rights, institutions and regulations of the rule of law, democracy, federalism and the relationships between the majorities and *permanent* minorities of plurinational polities.

When there are epistemological and normative limits in the moral and linguistic arguments of the groups that share liberal and democratic positions, justice demands an equitable negotiation between the parties involved. The hegemonic traditions of democratic and federal political thought have generally been more monist than pluralistic. This has created a series of mental barriers (conceptual, in the interpretation of values, etc) both in the constitutions of federal democracies and in their practical processes. But the liberal-democratic and federal traditions have been successful in implementing political systems capable of including experimentation and reforms among their basic rules. The answers will never be definitive. Following the spread of federalism and democracy, the current century can –and, in my opinion, should encourage a moral and institutional refinement in plurinational federal democracies. This is one of the main challenges of liberal-democratic federalism waiting to be adequately dealt in 21st Century.

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¹⁹ In Rawlsian terms, what should the collectivity of reciprocity and justice be in relation to the requirement of stability? In Rawls, it is the state, but this is debatable according to the premises of the Rawlsian theory itself. The answer given by Rawls in *Political Liberalism* to the question of stability does not adequately answer the communitarian criticism of the importance of individuals’ self-perception. Empirical individuals do not choose a large number of their attributes. Rather they choose because they possess these attributes. This requires a partially agonistic and group anthropology that any liberal-democratic and federal theory must take much more into account than what the dominant perspective in both traditions has developed in the last two centuries.

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ANNEX 1. Degree of Constitutional Federalism (20 points scale)

	ARG	AUSTL	AUS	BEL	BOS-H	BRA	CAN	ETH	GER	IND	ITA	MEX	RUS	S-AF	SPA	SWIT	UK*	US	VEN
Politics as constituent units (1)	1	1	1	0	1	1	1	1	1	1	0	1	1	0	0	1	0	1	0
Constitutional guarantee of self-government (1)	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	0	1	1
Agreement of major of federated entites (directly or indirectly) for Constitutional Reform (1)	0	1	0	0	1	1	1	1	1	1	0	1	1	1	0	1	0	1	0
Executive/Legislative Dualism (2)	1,5	1.	0,5	2	2	1	2	1	0,5	1	0.	0,5	0,5	1	1	1	1,5	2	0,5
Judicial Dualism (1)	1	1	0	0,5	1	1	1	1	1	1	0	1	1	0	0,5	1	1	1	0
Fiscal Dualism (2)	1	1.	0	1	2	1	2	1	1	1	0,5	0,5	1	0,5	0,5*	1	0.	2	0
Upper chamber: nomination by institutions of the federated entities (1)	0	0	1	0,5	1	0	0	0,5	1	1	0	0	1	1	0,5	0	0	0	0
Upper chamber: number of senators of the federated entities regardless of population (1)	1	1	0,5	0,5	1	1	1	1	0.	0,5	0	0,5	1	1	0	1	0	1	0
Powers of the upper chamber (2)	2	2	1,5	1,5	2	2	0	2	1	2	1	1	1,5	1,5	0,5	2	0	2	0
Non-allocated powers (2)	2	2	2	0	2	2	0.	2	2	0	0	2	2	0	0	2	2	2	0
Constitutional/High Court (2)	2	2	2	2	2	2	2	0	2	2	1	2	2	2	2	1	0	2	2
Nomination of judges by federated entities (2)	0,5	0	0.	2	2	0,5	0,5	0	1	0	0,5	0,5	0,5	0	0,5	2	0	0,5	0
Right of Secession (2)	0	0	0	0	0	0	1	2	0	0	0	0	0	0	0	0	0	0	0
Total	13	14	10	11	18	13,5	13	13,5	14	12	5	11	13,5	9	6,5	15	5	15,5	3,5

* Refers to Scotland

** Refers to 15 out of 17 "autonomous communities" (The Basque Country and Navarre are excluded)

Annex 2. Degree of decentralization (20 Points Scale)

Executive powers (Maximum score 2)

High – 2 points

Medium-high 1.5 points

Medium- 1 points

Medium-low 0.5 points

Low----- 0 points

Fiscal/Expenses decentralization (average between two independent scales of 8 points each):

Subnational expenditures (oscillations between two groups lead to a decimal)

66% > 8 points

58-65 % 7 points

50-57% 6 points

42-49% 5 points

34-41% 4 points

26-33% 3 points

18-25% 2 points

10-17% 1 point

0-9% 0 point

Own-source state revenues/total revenues (GFS/ IMF) (Idem)

56% > 8 points
 49-56 % 7 points
 42-48% 6 points
 35-41% 5 points
 28-34% 4 points
 21-27% 3 points
 14-20% 2 points
 7-13% 1 point
 0-6% 0 point

- Legislative power by subnational units

(8 points score)

Area	Score	AG	ATL	AUS	BEL	BO	BR	CA	GE	IND	ITA	MX	RS	SA	SP	SW	UK	US	VE
Economy/Infrastructures/Communications	Score (2)	1	1	0.5	1.5	2	1.5	1.5	0.5	1	0.5	0.5	0.5	0.5	1	1	0.5	2	0
Education & Culture	Score (2)	1.5	1.5	1	2	2	1.5	2	1.5	1.5	1	1	1.5	1.5	1	1.5	1.5	1.5	0.5
Welfare	Score (2)	1	1.5	1	1.5	2	1.5	2	1.5	1.5	1	0.5	1.5	1.5	1	1.5	1	1.5	0.5
Internal Affairs/Penal-Civil Law/Others	Score (2)	1	1	0.5	1	1.5	1	1.5	0.5	1	0	0.5	1	0	2	2	1	2	0.5
	Legislative power	4.5	5	3	6	7.5	5.5	7	4	5	2.5	2.5	4.5	3.5	5	6	4	7	1.5

Degree of decentralisation by country (20 points scale)

Area	Score	AG	ATL	AUS	BEL	BO	BR	CA	GE	IND	ITA	MX	RS	SA	SP	SW	UK	US	VE
Legislative power	Score (8)	4.5	5	3	6	7.5	5.5	7	4	5	2.5	2.5	4.5	3.5	5	6	4	7	1.5
Executive	Score (2)	1	1	1.5	1.5	2	1	1	2	1	1	0.5	1	1.5	1.5	1.5	1	1	0.5
Foreign Policy	Score (2)	0.5	1	1	2	1	0.5	1	1	0.5	0.5	0	0.5	0	0.5	1	1	0.5	0
Fiscal/expenses decentralization	Score (8)	5	5	3	4.5	6	4	7.5	5	4.5	2	2	5	2	3.5	5.5	2.5	6	1.5
Overall		11	12	8.5	14	16.5	11	16.5	12	11	6	5	11	7	10.5	14	8.5	14.5	3.5

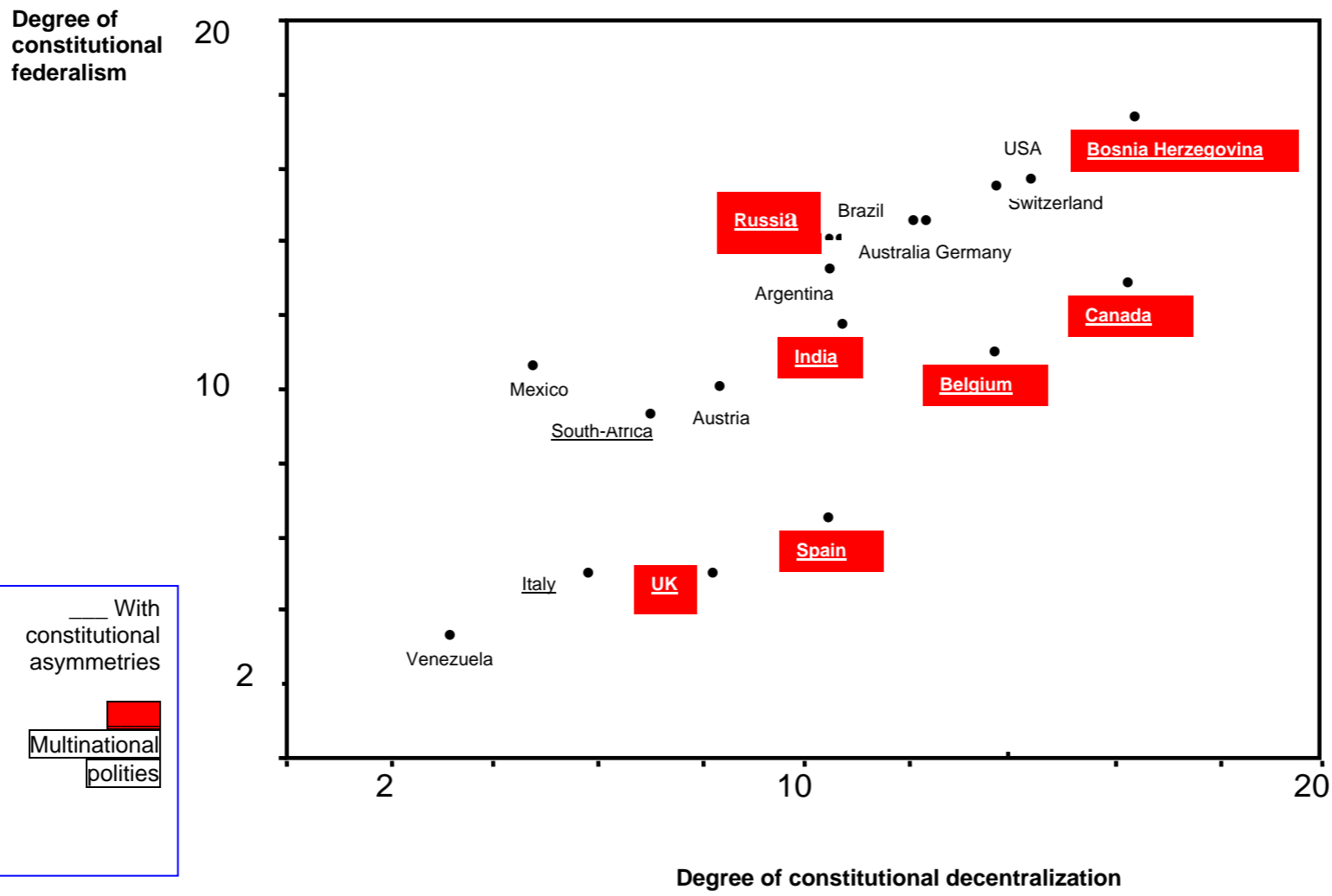


Table 2 Federation/Regional States	Degree of Constitutional Federalism (20 points scale)	Degree of Decentralisation (20 points scale)
Argentina	13	11
Australia	14	12
Austria	10	8.5
Belgium	11	14
Bosnia Herzegovina	18	16,5
Brazil	13,5	11
Canada	13	16.5
Ethiopia	13,5	n.d. *
Germany	14	12
India	12	11
Italy	5	6
Mexico	11	5
Russia	13,5	11
South-Africa	9	7
Spain	6.5	10.5
Switzerland	15	14
United Kingdom	5	8.5
United States	15,5	14.5
Venezuela	3,5	3.5

*No reliable economic data

Table 3		Number of federated units
Uninational Federations/Regional States	Symmetrical	Australia 6 + 2 Austria 9 Argentina 23 + 1 Brazil 26 + 1 Germany 16 Mexico 31 + 1 Italy 21 United States 50 + 1 Switzerland 20 + 6 South-Africa 9 Venezuela 23 + 1
	Asymmetrical	----
Plurinational Federations/Regional States	Symmetrical	----
	Asymmetrical	Belgium 3 + 3 Bosnia-Herzegovina 2 (+ 1 + 1) Canada 10 + 3 Ethiopia 9 + 1 India 28 + 7 United Kingdom 3 Russia 89 Spain 17 + 2

Table 4		Number of federated units
Uninational Federations/Regional States	Symmetrical	Australia Austria Argentina Brazil Germany Mexico Nigeria Italy United States Switzerland South-Africa Venezuela 6 + 2 9 23 + 1 26 + 1 16 31 + 1 36 + 1 21 50 + 1 20+6 9 23 +1
	Asymmetrical	Malaysia Pakistan 13 4 + 6 + 1
Plurinational Federations/Regional States	Symmetrical	----
	Asymmetrical	Belgium Bosnia-Herzegovina Canada Ethiopia India United Kingdom Russia Serbia-Montenegro Spain 3 + 3 2 (+ 1 + 1) 10 + 3 9 + 1 28 + 7 3 89 2 17 + 2

Ferran Requejo, “Federalism and democracy. The case of minority nations”, University of Kent (UK) 2006